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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

MARKMAN BIOLOGICS CORP. and
ALAN SHINDERMAN,

Defendant,

and

ASPEN ASSET MANAGEMENT
SERVICES, LLC

Relief Defendant

Case No. 2:23-cv-00288-APG-DJA

STIPULATED MOTION FOR
CONTINUANCE OF SEC'S REPLY IN
SUPPORT OF ITS MOTIONS TO
COMPEL (FIRST REQUEST)

**STIPULATED MOTION FOR CONTINUANCE OF SEC'S REPLY IN SUPPORT
OF MOTIONS TO COMPEL DEADLINE (FIRST REQUEST)**

Plaintiff Securities and Exchange Commission ("SEC" or "Plaintiff"), by and through its undersigned counsel of record, joined by Defendant Alan Shinderman (collectively, the "Parties"), hereby moves for a 14-day continuance of the deadline for the SEC to file its reply in support of its motion to compel (ECF No. 65), motion for leave to take a second deposition from Mr. Shinderman (ECF No. 71), and motion to extend the time frame for discovery (ECF No. 72) (collectively, the "Discovery Motions"). If granted, the deadline for the SEC's reply in support of the Discovery Motions would be moved from January 17, 2025 to January 31, 2025. This motion, the first request for a continuance of the SEC's deadline to reply,¹ is being submitted in good faith and for the following good cause shown:

1. There are ongoing discovery disputes in this case as reflected by the SEC's pending Discovery Motions. ECF No. 65; ECF No. 71; ECF No. 72.

2. On January 10, 2025, Mr. Shinderman filed his opposition to the SEC's motions to compel and a supporting declaration. ECF No. 90.

3. In light of the sworn statements in Mr. Shinderman's declaration and positions raised in his opposition, the parties are engaging in additional meet and confers to attempt to resolve the outstanding Discovery Motions without further involvement from the Court. In particular, the parties are in discussions regarding the proposed compromise set forth in the SEC's motion to compel (ECF No. 65), which may involve Mr. Shinderman producing "some subset of tax documents, such as Mr. Shinderman's 1099s, [to] satisfy the SEC's needs while allowing Mr. Shinderman to avoid producing each of his tax returns." ECF No. 65 at 7 n.1. The parties are optimistic they will be able to resolve the Discovery Motions, but request that the Court extend the deadline for the SEC to file its reply brief to allow the parties to pursue a final resolution to these discovery matters.

¹ The Court granted two 30-day stipulated extensions of time for Mr. Shinderman to respond to the SEC's Discovery Motions, which extended the response deadline from November 11, 2024 to January 10, 2025. ECF No. 85; ECF No. 88.

1 4. Accordingly, the SEC and Mr. Shinderman respectfully request a continuance
2 of the deadline for the SEC's reply brief of two weeks (to January 31, 2025) to allow
3 sufficient time for the parties to attempt to resolve the outstanding matters without further
4 involvement of the Court.

5
6 STIPULATED AND AGREED TO:
7 Dated this 15th day of September, 2025

8 By: /s/ Richard B. Herman
9 Richard B Herman. Esq.
10 The Helmsley Building
11 230 Park Avenue, Suite 300
12 New York, NY 10169
13 *Attorney for Defendant Alan*
14 *Shinderman*

By: /s/ Derek S. Bentsen
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15
16 By: /s/ Ross C. Goodman
17 Ross C. Goodman. Esq.
18 Goodman Law Group
19 520 S. 4th Street, #200
20 Las Vegas, NV 89101
21 *Attorney for Defendant Alan*
22 *Shinderman*

23 DATED: January 16, 2025

24 IT IS SO ORDERED.

25
26 
27 _____
28 DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

I am over the age of 18 years and not a party to this action. My business address is:

U.S. SECURITIES AND EXCHANGE COMMISSION,
100 F STREET NE, WASHINGTON, D.C. 20549
Telephone No. (202) 802-5846; Facsimile No. (202) 551-9287.

On January 15, 2025, I caused to be served the document entitled **STIPULATED MOTION FOR CONTINUANCE OF SEC'S REPLY IN SUPPORT OF ITS MOTIONS TO COMPEL (FIRST REQUEST)** on all the parties to this action addressed as stated on the attached service list:

☐ **OFFICE MAIL:** By placing in sealed envelope(s), which I placed for collection and mailing today following ordinary business practices. I am readily familiar with this agency's practice for collection and processing of correspondence for mailing; such correspondence would be deposited with the U.S. Postal Service on the same day in the ordinary course of business.

☐ **PERSONAL DEPOSIT IN MAIL:** By placing in sealed envelope(s), which I personally deposited with the U.S. Postal Service. Each such envelope was deposited with the U.S. Postal Service at Los Angeles, California, with first class postage thereon fully prepaid.

☐ **EXPRESS U.S. MAIL:** Each such envelope was deposited in a facility regularly maintained at the U.S. Postal Service for receipt of Express Mail at Los Angeles, California, with Express Mail postage paid.

☐ **HAND DELIVERY:** I caused to be hand delivered each such envelope to the office of the addressee as stated on the attached service list.

☐ **UNITED PARCEL SERVICE:** By placing in sealed envelope(s) designated by United Parcel Service ("UPS") with delivery fees paid or provided for, which I deposited in a facility regularly maintained by UPS or delivered to a UPS courier, at Los Angeles, California.

☐ **ELECTRONIC MAIL:** By transmitting the document by electronic mail to the electronic mail address as stated on the attached service list.

☒ **E-FILING:** By causing the document to be electronically filed via the Court's CM/ECF system, which effects electronic service on counsel who are registered with the CM/ECF system.

☐ **FAX:** By transmitting the document by facsimile transmission. The transmission was reported as complete and without error.

I declare under penalty of perjury that the foregoing is true and correct.

Date: January 15, 2025

/s/ Derek Bentsen

Derek Bentsen